

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7055 OF 2005

Javed S. Tamboli ... Petitioner

V/s

State of Maharashtra & ors. ... Respondents

Smt. P.P. Bhosale for the petitioner.

Mr. A.H. Palkar, A.G.P. for the Resp. Nos. 1 to 3.

Mr. P.A. Pol for the Respondent No.4.

CORAM: S.U. KAMDAR, J.

DATED: 22ND NOV., 2005

P.C.:

1. The present petition is filed challenging the order of stay granted by the minister against the transfer of ration units from respondent No.4. At present, temporary arrangement is being made to supply the ration through the 4th respondent. The order of stay pending the revision application by the minister being purely interlocutory nature, I do not find it fit to interfere with the same in writ jurisdiction. Accordingly petition fails and the same is dismissed. No order as to costs.

2. However, I direct the minister to hear and dispose of the application by 15th December, 2005. Parties to attend the hearing on 30th November, 2005 at 11.00 a.m. It is made clear that in an event the petitioner succeeds, then the respondents will not be entitled to claim any right in respect of the said units which are transferred pursuant to the impugned order and the Minister will be at liberty to re-allot the said units to either party on the basis of merits and in accordance with law.

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